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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,386	04/27/2000	ANJA KLEIN	P00.0938	7374

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EXAMINER
NGUYEN, TU X

ART UNIT	PAPER NUMBER
2682	

DATE MAILED: 07/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/530,386	KLEIN ET AL.	
	Examiner	Art Unit	
	Tu X Nguyen	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 18-34 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) 18-34 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☒ The proposed drawing correction filed on 4/27/00 is: a)☒ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 18, 21-22, 25-29, 31 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soliman (US Patent 6,101,179) and further in view of Willars et al. (US Patent 5,946,630).

Regarding to claims 18 and 33-34, Soliman discloses a method for connection setup for mobile stations of a radio communication system having at least one base station, comprising the steps of:

with the mobile station that requests a connection setup, measuring a reception power of a signal sent from the base station in a downstream direction (see col.4 lines 25-30); and

with the mobile station, setting a transmission power dependent on the measured reception power for sending an access radio block to the base station (see col.6 lines 15-22).

Soliman does not mention about recurrently offering frequency channels for a random access in an upstream direction for the mobile station.

Willars et al. disclose recurrently offering frequency channels for a random access in an upstream direction for the mobile station (see col.4 line 66 through col.5 line 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Soliman with the above teaching of Willars et al. in order to transfer a short message between a mobile station and service center.

Regarding to claim 21, Soliman tries to sole the problem of power control as stated on col.4 lines 2-11. Therefore, Soliman discloses the mobile station sets the transmission power all the higher the lower the measured reception power is.

Regarding to claim 22, the combination Soliman and Willars et al. disclose the signal transmitted in the downstream direction is a pilot signal (Soliman, col.4 lines 27-30).

Regarding to claim 25, the combination Soliman and Willars et al. disclose the signal transmitted in the downstream direction is a data signal (Soliman, col.6 lines25-45).

Regarding to claims 26 and 27, the combination Soliman and Willars et al. disclose the mobile station estimates a radio field attenuation in the downstream direction on the basis of the measured reception power and sets the transmission power such that the radio field attenuation is at least partially compensated (Soliman, col.7 lines 54-63).

Regarding to claims 28 and 29, the combination Soliman and Willars et al. disclose at least one auxiliary information is inserted into the signal sent in the

downstream direction, this being employed by the mobile station for setting the transmission power (Soliman, col.6 lines 32-35).

Regarding to claim 31, Soliman discloses a method and system for open loop power control in a CDMA communication system; therefore, his invention is not limited in the access radio block is not spread.

3. Claims 19-20 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soliman, Willars et al., and further in view of Olofsson et al. (US Patent 6,157,627).

Regarding to claims 19-20 and 32, the combination of Soliman and Willars et al. fail to disclose the radio communication system is configured as a TDMA/CDMA radio communication system.

Olofsson et al. disclose TDMA/CDMA (see col.7 lines 45-47). Since the reference teaches TDMA/CDMA, it teaches information of a plurality of connections are simultaneously transmitted between the mobile stations and the base station in frequency channels formed by time slots, whereby the information of different connections can be distinguished from one another according to a connection-individual fine structure, and the access block is spread with an individual code. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Soliman, Willars et al. with the above teaching of Olofsson et al. in order to efficiently allocate channel resources for different users requiring different channel structures (see col.1 lines 58-60).

4. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soliman, Willars et al. and further in view of Trandai et al. (US Patent 5,893,036).

Regarding to claim 23, the combination Soliman and Willars et al. fail to disclose the signal transmitted in the downstream direction is a control signal transmitted on a BCCH channel.

Trandai et al. disclose the signal transmitted in the downstream direction is a control signal transmitted on a BCCH channel (see col.3 lines 1-9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Soliman, Willars et al. with the above teaching of Trandai et al. in order to broadcast access information to all mobile stations in the coverage area.

5. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soliman, Willars et al. and further in view of Langlet et al. (US Patent 5,930,248).

Regarding to claim 24, the combination Soliman and Willars et al. fail to disclose the signal transmitted in the downstream direction is a training sequence signal.

Langlet et al. dislcose the signal transmitted in the downstream direction is a training sequence signal (see col.7 lines 25-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Soliman, Willars et al. with the above teaching of Langlet et al. in order to ensure the mobile station synchronize with the base station.

6. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soliman, Willars et al. and further in view of Mallinckrodt (US Patent 5,878,329).

Regarding to claim 30, the combination of Soliman and Willars et al. fail to disclose a broadband frequency range is divided into sub-ranges having a narrower bandwidth within a frequency channel for the random access, the mobile station that requests the connection setup selecting a sub-range within said frequency channel, and the mobile station sending the access radio block to the base station in this sub-range.

Mallinckrodt discloses sub-range within said frequency channel (see col.5 lines 49-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Soliman, Willars et al. with the above teaching of Mallinckrodt in order to perform higher frequency reuse factor as cited by Mallinckrodt col.5 lines 66-67.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Nguyen whose telephone number is (703) 305-3427. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin, can be reached at (703) 308-6739.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service Office at (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

TN

July 11, 2002

NGUYEN T. VO
PRIMARY EXAMINER